

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DENNIS PERDUE, #372392,

Petitioner,

v.

CASE NO. 2:08-CV-13575
HONORABLE PATRICK J. DUGGAN

NICK LUDWICK,

Respondent.

**OPINION AND ORDER DENYING PETITIONER'S MOTION FOR
A CERTIFICATE OF APPEALABILITY AS MOOT**

At a session of said Court, held in the U.S.
District Courthouse, Eastern District
of Michigan on July 16, 2010.

PRESENT: HONORABLE PATRICK J. DUGGAN
U.S. DISTRICT COURT JUDGE

Michigan prisoner Dennis Perdue ("Petitioner") filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 asserting that he is being held in violation of his constitutional rights. On June 8, 2010, the Court denied the petition and also denied Petitioner a Certificate of Appealability ("COA"). Presently before the Court is Petitioner's Motion for Issuance of Certificate of Appealability, filed on June 25, 2010. Although the case is captioned to the United States Court of Appeals for the Sixth Circuit, the motion was docketed in this Court. Because the Court already denied Petitioner a COA in the June 8, 2010, opinion and order, the Court denies the present motion as moot.

Petitioner should address and file any further requests in the Sixth Circuit.

Accordingly,

IT IS ORDERED that Petitioner's Motion for Issuance of Certificate of Appealability is **DENIED AS MOOT**.

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

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